

REMARKS

As noted in the Restriction Requirement dated April 12, 2005, claims 16, 18, 24, 50-52, and 56 are pending in the application. As filed in the response to the Restriction Requirement mailed September 8, 2005, Applicants elected the claimed methods which use a WT1 peptide greater than 249 amino acids for examination. Applicants noted in their response that claim 56 reads on the elected subject matter.

The Notice of Non-Compliant Amendment mailed November 30, 2005 alleges that claim 50 is incorrectly identified and should be identified as "withdrawn". As noted in Applicants' response to the Notice of Non-Compliant Amended mailed December 30, 2004, Applicants submit that according to the M.P.E.P § 1.142(b) "Claims to the invention or inventions not elected, if not canceled, are nevertheless withdrawn from further consideration by the examiner..." (Emphasis added). As such, Applicants submit that identifying claims as withdrawn prior to the claims actually being withdrawn by the Examiner appears to be inconsistent with the procedure outlined in the MPEP.

Without acquiescing to the objections, in response to the Notice of Non-Compliant Amendment dated November 30, 2005, non-elected claims 16, 18, 24, and 50-52 are canceled and are properly identified as such. New claim 57 has been added. Support for the new claim can be found throughout the specification as filed, for example at page 39, lines 13-16. No new matter has been added. Claim 56 has been amended solely for the purposes of clarity. The above amendment is not to be construed as acquiescence to the stated grounds for objection/rejection and is made without prejudice to prosecution of any subject matter modified and/or removed by this amendment in a related divisional, continuation and/or continuation-in-part application.

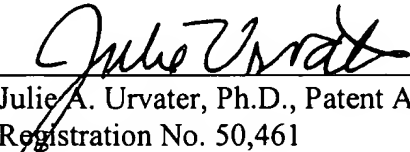
In view of the above amendments, the claims are now believed to be in condition for allowance. Examination on the merits is respectfully requested. Should any issue require attention prior to allowance, the Examiner is requested to contact the undersigned at 206-622-4900 to resolve same.

Application No. 09/685,830
Reply to Office Action dated November 30, 2005

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,

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